

**SUPREME COURT MINUTES  
WEDNESDAY, AUGUST 23, 2000  
SAN FRANCISCO, CALIFORNIA**

S088909      People, Respondent  
2nd Dist.      v.  
B128957      Frederick R. Taylor, Appellant  
Div. 7      Petition for review GRANTED.

Further action in this matter is deferred pending consideration and disposition of a related issue in *People v. Cleveland*, S078537, *People v. Metters*, S069552 and *People v. Williams*, S066106 (see Cal. Rules of Court, rule 29.2(c)), or pending further order of the court. Submission of additional briefing, pursuant to California Rules of Court, rule 29.3, is deferred pending further order of the court.

George, C.J.  
Mosk, J.  
Kennard, J.  
Baxter, J.  
Werdegar, J.  
Chin, J.  
Brown, J.

S089120 People, Respondent

2nd Dist. v.

B132967 Greg Acosta, Appellant

Div. 1 Petitions for review GRANTED.

The issues to be briefed and argued before this court shall be limited to those addressed in the previously published portion of the Court of Appeal opinion including:

1) Whether the one strike law (Pen. Code section 667.61), and the three strikes law (Pen. Code section 667, subds. (b)-(i)), operate together or exclusively of one another.

2) Whether the same prior conviction finding can be used both to trigger application of a 25 year-to-life sentence under the one strike law and as a “strike” under the three strikes law and/or to enhance the defendant’s sentence by five years under Penal Code section 667, subdivision (a).

George, C.J.

Mosk, J.

Kennard, J.

Baxter, J.

Werdegar, J.

Chin, J.

Brown, J.

S089533      People, Respondent  
3rd Dist.      v.  
C029964      Peter Dale Graves, Appellant

Petitions for review GRANTED.

The issues to be briefed and argued before this court shall be limited to (1) to those addressed in the previously published portion of the Court of Appeal opinion, including the question whether the one strike law (Pen. Code, § 667.61), and the three strikes law (Pen. Code, § 667, subds. (b)-(i)), operate together or exclusively of one another, and (2) to the question addressed in the unpublished portion of the Court of Appeal opinion whether the same prior conviction finding can be used to both subject a defendant to a one-strike sentence pursuant to Penal Code section 667.61, subdivisions (a) and (d)(1), and to enhance that sentence by five years pursuant to Penal Code section 667, subdivision (a).

George, C.J.  
Mosk, J.  
Kennard, J.  
Baxter, J.  
Werdegar, J.  
Chin, J.  
Brown, J.

2nd Dist.      Ruth Kennedy, Appellant  
B122245      v.  
Div. 5      Friskies Petcare Company, Respondent  
S089780      Petition for review GRANTED.

The matter is transferred to the Court of Appeal, Second Appellate District, Division Five, with directions to vacate its decision and to reconsider the cause as it sees fit.

George, C.J.  
Mosk, J.  
Kennard, J.  
Baxter, J.  
Werdegar, J.  
Chin, J.  
Brown, J.

S062813      Kyle Richmond, Respondent  
1st Dist.          v.  
A071729      A.P. Green Industries, Inc. et al., Appellants  
Div. 5          Pursuant to rule 29.4(c), California Rules of Court, the above-  
entitled review is DISMISSED and cause is remanded to the Court  
of Appeal, Second Appellate District, Division Five.

George, C.J.  
Mosk, J.  
Kennard, J.  
Baxter, J.  
Werdegar, J.  
Chin, J.

S009108      People, Respondent  
                v.  
                Ronaldo Medrano Ayala, Appellant  
                Petition for rehearing DENIED.

S077461      Kajima/Jay Wilson, Respondent  
2nd Dist.          v.  
B109867      Los Angeles County Metropolitan Transportation Authority,  
Div. 4          Appellant  
                Petition for rehearing DENIED.

1st Dist.      People, Respondent  
A080738          v.  
Div. 2          Eric D. Dotson et al., Appellants  
S089180          Petitions for review DENIED.

1st Dist.      People, Respondent  
A085452          v.  
Div. 3          Timothy Canale, Appellant  
S090146          Petition for review DENIED.

1st Dist.      Ralph Salcido, Appellant  
A085630          v.  
Div. 2          Pacific Weathershield, Inc., Respondent  
S090091          Petition for review DENIED.

1st Dist. Thomas J. Culligan III et al., Appellants  
A085913 v.  
Div. 2 State Compensation Insurance Fund, Respondent  
S090277 Petition for review DENIED.

1st Dist. People, Respondent  
A086117 v.  
Div. 5 Robert Scott, Appellant  
S089143 Petition for review DENIED.

1st Dist. People, Respondent  
A086295 v.  
Div. 2 Samuel Kenneth Lloyd, Appellant  
S089942 Petition for review DENIED.

1st Dist. People, Respondent  
A087498 v.  
Div. 1 Russell Fata, Appellant  
S089990 Petition for review DENIED.

1st Dist. Sidney J. Hendricks, Appellant  
A087979 v.  
Div. 1 Fred C. Grange, Respondent  
S090059 Dennis R. Horne, Appellant  
Petition for review DENIED.

1st Dist. In re Noah S., a Person Coming Under the Juvenile Court Law  
A088434 -----  
Div. 3 Alameda County Social Services Agency, Respondent  
S090012 v.  
Kathy T., Appellant  
Petition for review DENIED.

1st Dist. John Travnicek, Administrator, Appellant  
A088535 v.  
Div. 1 St. Apolinaris Catholic Church, Respondent  
S090007 Petition for review DENIED.

1st Dist. A088634 Div. 4 S089911	In re Dontre S. et al., Persons Coming Under the Juvenile Court Law ----- San Mateo County Youth and Family Services Department, Respondent v. Tammy S., Appellant Petition for review DENIED.
1st Dist. A090457 Div. 4 S089305	Robert R. Sterling, Petitioner v. Contra Costa County Superior Court, Respondent People, Real Party in Interest Petition for review DENIED.
1st Dist. A091250 Div. 1 S089514	General Refractories Co., Petitioner v. Alameda County Superior Court, Respondent Frank Volante et al., Real Parties in Interest Petition for review DENIED.
2nd Dist. B112240 Div. 4 S089001	People, Respondent v. Gary P. Miller, Appellant Petition for review DENIED.
2nd Dist. B120537 B124001 B124002 Div. 3 S089798	Chateau Chamberay, Appellant v. Robert Koss, Appellant Petition for review DENIED.
2nd Dist. B122084 Div. 6 S089973	People, Respondent v. Kevin E. Walker, Appellant Petition for review DENIED.
2nd Dist. B123537 Div. 4 S089378	People, Respondent v. Marvin A. Solis, Appellant Petition for review DENIED.

2nd Dist. People, Respondent  
B124266 v.  
Div. 7 Shauntee Rodgers, Appellant  
S089012 Petition for review DENIED.  
Mosk, J., is of the opinion the petition should be granted.

2nd Dist. Linda Romney, Appellant  
B125241 v.  
Div. 3 Arthur Schaeffer, Respondent  
S089975 Petition for review DENIED.

2nd Dist. Henry Cousine, Appellant  
B125736 v.  
Div. 7 City of Los Angeles et al., Appellants  
S089853 Diane Ponce et al., Respondents  
Petition for review DENIED.

2nd Dist. People, Respondent  
B127184 v.  
Div. 4 Joe Anthony Gonzales, Appellant  
S089038 Petition for review DENIED.

2nd Dist. People, Respondent  
B129484 v.  
Div. 5 Vicenson Desmond Edwards, Appellant  
S089924 Petition for review DENIED.

2nd Dist. People, Respondent  
B129758 v.  
Div. 2 Alberto Villescas, Appellant  
S089003 Petitions for review DENIED.  
Mosk, J., is of the opinion the appellant's petition should be granted.

2nd Dist. People, Respondent  
B129934 v.  
Div. 7 Cornelius Harris, Appellant  
S090023 Petition for review DENIED.

2nd Dist. B129969 Div. 6 S089928	People, Respondent v. Anthony Michael Fiorella, Appellant Petition for review DENIED.
2nd Dist. B130986 Div. 6 S089181	People, Respondent v. Saul Lima, Appellant Petition for review DENIED.
2nd Dist. B131004 Div. 2 S089925	People, Respondent v. Brian Keith Choice, Appellant Petition for review DENIED. Mosk, J., is of the opinion the petition should be granted.
2nd Dist. B131013 Div. 5 S089152	People, Respondent v. Daniel Martinez, Appellant Petition for review DENIED. Mosk, J., is of the opinion the petition should be granted.
2nd Dist. B131051 Div. 1 S089762	James A. Garrison, Appellant v. Reliance Insurance Company, Respondent Petition for review DENIED.
2nd Dist. B131508 Div. 3 S089250	People, Respondent v. Victor F. Adegbenro, Appellant Petition for review DENIED.
2nd Dist. B131643 Div. 4 S090362	People, Respondent v. Ricardo Luis Sesma, Appellant Petition for review DENIED.
2nd Dist. B132076 Div. 3 S090238	People, Respondent v. Marcos Delapaz, Appellant Petition for review DENIED.



2nd Dist. B132315 Div. 6 S089984	People, Respondent v. Mark Elliot Jackson, Appellant Petition for review DENIED.
2nd Dist. B132318 Div. 7 S090052	People, Respondent v. Tremaine D. Carroll, Appellant Petition for review DENIED.
2nd Dist. B132606 Div. 6 S090111	People, Respondent v. Anita B. Yanez, Appellant Petition for review DENIED.
2nd Dist. B132828 Div. 5 S090049	People, Respondent v. Mark Anthony Abasta, Appellant Petition for review DENIED.
2nd Dist. B132850 Div. 4 S089269	In re the Marriage of D'arcy J. and Louis V. Newman ----- D'arcy J. Newman, Appellant v. Louis V. Newman, Respondent Petition for review DENIED.
2nd Dist. B132896 Div. 6 S090241	People, Respondent v. Joel Mireles Rocha, Appellant Petition for review DENIED.
2nd Dist. B134261 Div. 2 S089895	People, Respondent v. Larry Dude Holt, Appellant Petition for review DENIED.
2nd Dist. B135042 Div. 5 S090274	People, Respondent v. Ricardo Estrada, Appellant Petition for review DENIED.

2nd Dist. People, Respondent  
B135043 v.  
Div. 6 James Asoau, Appellant  
S089922 Petition for review DENIED.

2nd Dist. People, Respondent  
B135204 v.  
Div. 7 Victor Art Grandy, Appellant  
S090019 Petition for review DENIED.

2nd Dist. In re Nicacio Mercado  
B136182 on  
Div. 4 Habeas Corpus  
S089040 Petition for review DENIED.

2nd Dist. San Luis Obispo Dept. of Social Services, Respondent  
B136478 v.  
Div. 6 Donna Marie F., Appellant  
S089586 -----

In re Christopher David M., a Person Coming Under the  
Juvenile Court Law  
Petition for review DENIED.

2nd Dist. Diane L. Johnson et al., Petitioners  
B137002 v.  
Div. 2 Los Angeles County Superior Court, Respondent  
S089457 California Cryobank, Inc. et al., Real Parties in Interest  
Applications for stay and petitions for review DENIED.

2nd Dist. Los Angeles Department of Children & Family Services,  
B137105 Appellant  
Div. 4 v.  
S090560 Warren W., Appellant  
Application for stay and petition for review DENIED.

2nd Dist. Maureen A. Doherty, Petitioner  
B137182 v.  
Div. 3 Los Angeles County Superior Court, Respondent  
S089652 MJJ Ventures, Inc., Real Party in Interest  
Petition for review DENIED.

2nd Dist. People, Appellant  
B137366 v.  
Div. 4 Hermogenes Palacio, Respondent  
S090223 Petition for review DENIED.

2nd Dist. County of Los Angeles et al., Petitioners  
B138981 v.  
Div. 5 Orange County Superior Court, Respondent  
S088682 Kirsten Fox et al., Real Parties in Interest  
Petition for review DENIED.  
The request for an order directing publication of the opinion is DENIED.  
George, C.J., Mosk, J., and Kennard, J., are of the opinion the petition should be granted.

2nd Dist. City of Inglewood, Petitioner  
B141053 v.  
Div. 3 Workers' Compensation Appeals Board, Respondent  
S089702 Andre Brown, Respondent  
Petition for review DENIED.

2nd Dist. Maria Horwitz, Petitioner  
B141767 v.  
Div. 4 Los Angeles County Superior Court, Respondent  
S089962 Mark Horwitz, Real Party in Interest  
Petition for review DENIED.

2nd Dist. Larry Carter, Petitioner  
B142258 v.  
Div. 1 Los Angeles County Superior Court, Respondent  
S090142 People, Real Party in Interest  
Petition for review DENIED.

2nd Dist. In re Vincent Carlos Valencia  
B143506 on  
Div. 5 Habeas Corpus  
S090759 Petition for review DENIED.

3rd Dist. California Apartment Association et al., Appellants  
C027953 v.  
S089134 City of Stockton et al., Respondents  
Petition for review DENIED.

3rd Dist. Donald Parks, Appellant  
C029246 v.  
S090294 Xi Chuan Yu, Respondent  
Petition for review DENIED.

3rd Dist. Conservatorship of the Person and Estate of Reba Gregory  
C030074 -----  
C030733 Christine Sandah, as Conservator, etc., Appellant  
S089123 v.  
Beverly Enterprises Incorporated et al., Appellants  
Petition for review DENIED.  
The request for an order directing depublication of the opinion is  
DENIED.

3rd Dist. People, Respondent  
C031490 v.  
S089136 Shawn Regan Sewell, Appellant  
Petition for review DENIED.

3rd Dist. People, Respondent  
C031776 v.  
S090170 Barry Dewayne Woods, Appellant  
Petition for review DENIED.

3rd Dist. Sylvester Mack et al., Appellants  
C031977 v.  
S089556 Lian Soung, Respondent  
Petition for review DENIED.  
The request for an order directing depublication of the opinion is  
DENIED.

3rd Dist. Thomas J. Field, Appellant  
C033475 v.  
S089784 Herbert A. Maxey, Respondent  
Petition for review DENIED.

3rd Dist. C034716 S090579	In re Nehemiah H., a Person Coming Under the Juvenile Court Law ----- Department of Health and Human Services, Respondent v. Fairy A., Appellant Petition for review DENIED.
4th Dist. D030804 Div. 1 S089646	Tiburcio Cruz et al., Appellants v. Michael Cox et al., Respondents Petition for review DENIED.
4th Dist. D031354 Div. 1 S089223	People, Respondent v. Haneef Shaheed, Appellant Petition for review DENIED.
4th Dist. D031575 Div. 1 S089801	David Mendoza et al., Appellants v. Club Car, Inc., Appellant Petition for review DENIED.
4th Dist. D031701 Div. 1 S089035	People, Respondent v. Manuel Gregorio Mena, Appellant Petition for review DENIED.
4th Dist. D032067 Div. 1 S090288	People, Respondent v. Julio Hernandez, Jr., Appellant Petition for review DENIED.
4th Dist. D032329 Div. 1 S089065	People, Respondent v. Ronny Luckett, Appellant Petition for review DENIED.
4th Dist. D032336 Div. 1 S090077	People, Respondent v. William Clarke, Appellant Petition for review DENIED.

4th Dist. D033281 Div. 1 S090087	People, Respondent v. Lewis A. Cruz, Appellant Petition for review DENIED.
4th Dist. D033505 Div. 1 S089909	People, Respondent v. McArthur Graham, Appellant Petition for review DENIED.
4th Dist. D033618 Div. 1 S089300	People, Respondent v. Dale F. North, Appellant Petition for review DENIED.
4th Dist. D034046 Div. 1 S090179	People, Respondent v. Joel S. Herrera, Appellant Petition for review DENIED.
4th Dist. D035699 Div. 1 S089747	Thomas Hicks, Petitioner v. San Diego County Superior Court, Respondent Goode, Peterson & Weintraub, et al., Real Parties in Interest Petition for review DENIED.
4th Dist. E023770 Div. 2 S089162	People, Respondent v. Vincent Dion Spirlin, Appellant Petition for review DENIED.
4th Dist. E024012 Div. 2 S089022`	People, Respondent v. Tyrone Smith, Appellant Petition for review DENIED.
4th Dist. E024154 E024150 Div. 2 S089021	People, Respondent v. Steven Michael Gonzales, Appellant Petition for review DENIED. Kennard, J., is of the opinion the petition should be granted.

4th Dist. People, Respondent  
E024264 v.  
E024265 Charles Trayzon Gilblert et al., Appellants  
Div. 2 Petitions for review DENIED.  
S089164

4th Dist. People, Respondent  
E024705 v.  
Div. 2 Alfredo Cervantes, Appellant  
S089920 Petition for review DENIED.

4th Dist. People, Respondent  
E024750 v.  
Div. 2 Vern Richard Skinner, Appellant  
S089278 Petition for review DENIED.

4th Dist. In re Jason S., a Person Coming Under the Juvenile Court Law  
E024889 -----  
Div. 2 People, Respondent  
S089964 v.  
Jason S., Appellant  
Petition for review DENIED.

4th Dist. People, Respondent  
E025036 v.  
Div. 2 Juan Salgado Soto, Appellant  
S090080 Petition for review DENIED.

4th Dist. People, Respondent  
E025101 v.  
Div. 2 Raul Joseph Luviano, Appellant  
S090095 Petition for review DENIED.

4th Dist. People, Respondent  
E025366 v.  
Div. 2 Joseph Lamont Richard, Appellant  
S090069 Petition for review DENIED.

4th Dist. People, Respondent  
E025382 v.  
Div. 2 Enrique Aguilar, Appellant  
S090275 Petition for review DENIED.  
Mosk, J., is of the opinion the petition should be granted.

4th Dist. In re Steven Michael Escandon  
E025444 on  
Div. 2 Habeas Corpus  
S089117 Petition for review DENIED.

4th Dist. People, Respondent  
E025946 v.  
Div. 2 Paul Leslie Burdette, Appellant  
S090224 Petition for review DENIED.

4th Dist. In re Bryson S., a Person Coming Under the Juvenile Court Law  
E026566 -----  
Div. 2 County of San Bernardino Dept. of Children's Services, Respondent  
S090056 v.  
Wendy N. Sanchez, Appellant  
Petition for review DENIED.

4th Dist. Marcus Lee Rawls, Petitioner  
E027216 v.  
Div. 2 Riverside County Superior Court, Respondent  
S088873 People, Real Party in Interest  
Petition for review DENIED.  
Brown, J., is of the opinion the petition should be granted.

4th Dist. Michael James Badura, Petitioner  
E027493 v.  
Div. 2 Riverside County Superior Court, Respondent  
S090361 People, Real Party in Interest  
Petition for review DENIED.

4th Dist. Mark Mitchell et al., Appellants  
G021708 v.  
Div. 3 Blue Bird Body Company, Respondent  
S088814 Petition for review DENIED.



4th Dist. Jean Dubravac et al., Appellants  
G022993 v.  
Div. 3 CIGNA Healthcare of California et al., Respondents  
S088823 Petition for review DENIED.

4th Dist. Ha Ta, Appellant  
G023310 v.  
Div. 3 Mitsubishi Motors Sales of America Incorporated et al.,  
S089866 Respondents  
Petition for review DENIED.

4th Dist. People, Respondent  
G023571 v.  
Div. 3 Donald Alan Privett, Appellant  
S090096 Petition for review DENIED.

4th Dist. People, Respondent  
G024421 v.  
Div. 3 Traevon Marcell Barnes, Appellant  
S090090 Petition for review DENIED.

4th Dist. People, Respondent  
G025258 v.  
Div. 3 Miguel E., Appellant  
S089943 Petition for review DENIED.

5th Dist. People, Respondent  
F030548 v.  
S089967 Elbert Lee Bryant, Appellant  
Petition for review DENIED.

5th Dist. People, Respondent  
F030696 v.  
S089155 Daniel Quintana, Appellant  
Petition for review DENIED.

5th Dist. Charles H. Keller et al., Respondents  
F031112 v.  
S089492 Chowchilla Water District, Appellant  
Petition for review DENIED.  
The request for an order directing depublication of the opinion is  
DENIED.

5th Dist. People, Respondent  
F032192 v.  
S089548 Scott Richard Hilford, Appellant  
Petition for review DENIED.

5th Dist. People, Respondent  
F032379 v.  
S089995 Scott Craig Olea, Appellant  
Petition for review DENIED.

5th Dist. People, Respondent  
F032671 v.  
S089560 John Stephen Warren, Appellant  
Petition for review DENIED.

5th Dist. In re Teodomiro R., a Person Coming Under the Juvenile Court Law  
F033038 -----  
S089229 People, Respondent  
v.  
Teodomiro R., Appellant  
Petition for review DENIED.

5th Dist. In re Emily R., a Person Coming Under the Juvenile Court Law  
F033809 -----  
S089644 Kern County Department of Human Services, Respondent  
v.  
Michael U., Appellant  
Petition for review DENIED.

5th Dist. People, Petitioner  
F034275 v.  
S089309 Fresno County Superior Court, Respondent  
Bruce Edward Riley, Real Party in Interest  
Petition for review DENIED.  
Brown, J., is of the opinion the petition should be granted.  
The Reporter of Decisions is directed not to publish in the  
Official Appellate Reports the opinion in the above-entitled appeal,  
filed May 11, 2000, which appears at 80 Cal.App.4th 820. (Cal.  
Const., art. VI, section 14; rule 976, Cal. Rules of Court.)

5th Dist.      Lupe Hernandez, Petitioner  
F034477      v.  
S089794      Workers' Compensation Appeals Board et al., Respondents  
                 Petition for review DENIED.  
                 Mosk, J., is of the opinion the petition should be granted.

6th Dist.      People, Respondent  
H018929      v.  
S089147      Michael Anthony Victory, Appellant  
                 Petition for review DENIED.

6th Dist.      People, Respondent  
H020009      v.  
S089904      Darren Sanders, Appellant  
                 Petition for review DENIED.

6th Dist.      In re Mateo G., a Person Coming Under the Juvenile Court Law  
H020232      -----  
S090343      People, Respondent  
                 v.  
                 Mateo G., Appellant  
                 Petition for review DENIED.

6th Dist.      In re Ronald M., a Person Coming Under the Juvenile Court Law  
H020420      -----  
S089815      Dept. of Family & Children's Services, Respondent  
                 v.  
                 Leigh Gilkey, Appellant  
                 Petition for review DENIED.

6th Dist.      People, Respondent  
H020980      v.  
S089321      Steven Raymond Argue, Appellant  
                 Petition for review DENIED.

6th Dist.      In re Fred Scott  
H021612      on  
S089641      Habeas Corpus  
                 Petition for review DENIED. Application for stay denied.  
                 Mosk, J., is of the opinion the petition should be granted and

transferred to the Court of Appeal.

Brown, J., is of the opinion the petition should be granted.

- 2nd Dist. Cabinda, LLC, Respondent  
B133077 v.  
Div. 4 Santa Monica Rent Control Board, Appellant  
S089037 The Reporter of Decisions is directed not to publish in the Official Appellate Reports the opinion in the above-entitled appeal, filed May 11, 2000, which appears at 80 Cal.App.4th 853. (Cal. Const., art. VI, section 14; rule 976, Cal. Rules of Court.)
- 1st Dist. City and County of San Francisco, Appellant  
A087615 v.  
Div. 1 Luis F. Mendez, Respondent  
S089479 The request for an order directing publication of the opinion in the above-entitled case is DENIED.
- 2nd Dist. Antonio Aguilar, Respondent  
B128469 v.  
Div. 3 Ashland Chemical Company, Appellant  
S089878 The request for an order directing publication of the opinion in the above-entitled case is DENIED.
- 2nd Dist. Jonathan Vo, Respondent  
B130613 v.  
Div. 5 Las Virgenes Municipal Water District, Appellant  
S088641 The request for an order directing depublication of the opinion in the above-entitled case is DENIED.
- 2nd Dist. Mirtha Jimenez, Petitioner  
B139987 v.  
Div. 5 Los Angeles County Superior Court, Respondent  
S088437 John A. Ware et al., Real Parties in Interest  
The request for an order directing publication of the opinion in the above-entitled case is DENIED.
- S059739 In re James Robert Scott  
on  
Habeas Corpus  
Petitioner's "motion to vacate the referee's rulings concerning petitioner's testimony and discovery . . .," filed July 24, 2000, is

granted to the extent that the referee is directed not to draw any inference if petitioner properly asserts the privilege against self-incrimination. It is denied in all other respects. This order is without prejudice to the parties' rearguing, if they choose, any of these questions when the matter is before this court for decision on the merits.

S006014 People, Respondent

v.

Armenia Lelvi Cudjo, Appellant

Good cause appearing, the applications of appointed lead and associate counsel for permission to withdraw as attorneys of record for condemned prisoner Armenia Levi Cudjo, Jr., filed July 25, 2000, is granted.

The order appointing James A. Kahn as counsel of record for condemned prisoner Armenia Levi Cudjo, Jr., filed November 8, 1988, is hereby vacated; the order appointing Wesley D. Hurst as associate counsel of record for condemned prisoner Armenia Levi Cudjo, Jr., filed July 27, 1992, is hereby vacated; and the order appointing J. Thomas Bowden and Geraldine S. Russell as additional associate counsel of record for condemned prisoner Armenia Levi Cudjo, Jr., filed April 13, 1994, is hereby vacated.

The Federal Public Defender for the Central District of California is hereby appointed attorney of record for condemned prisoner Armenia Levi Cudjo, Jr. Counsel is appointed for purposes of all post-conviction proceedings in this court, and for subsequent proceedings, including the preparation and filing of a petition for clemency with the Governor of California, as appropriate.